

N E T L I N K[®]
RECEIVED

June 4, 1999

JUN 04 1999

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

Mr. Robert Atkinson
 Deputy Chief – Common Carrier Bureau
 Mr. Thomas Krattenmaker
 Office of Plans and Policy – Common Carrier Bureau
 Federal Communications Commission
 The Portals
 445 Twelfth Street, SW
 Washington, DC 20554

Re: CC Docket No. 98-141

Dear Messrs. Atkinson and Krattenmaker:

On Wednesday, March 26, 1999 at approximately 2:11 p.m. (CDT), Ameritech's network experienced a serious outage that we believe affected almost exclusively customers of competitive local exchange carriers using numbers that had been ported from Ameritech. This outage, which blocked all inbound calls through Ameritech's LNP network, was solely attributable to Ameritech. The CLEC networks were functioning properly. Although the number of affected customers is only known by Ameritech, we estimate that the outage affected as many as 100,000 ported numbers, of which only a very, very small number are assigned to Ameritech customers. The outage lasted almost seven hours and was widespread, including all of the Chicago metropolitan area and parts of Wisconsin and southern Illinois. Although no network is absolutely reliable 100% of the time, Ameritech's treatment of us and our customers during this outage can only be described as "strategic incompetence."

First, we learned of the outage from our customers, not from Ameritech. In fact, despite our repeated phone calls and pages to personnel at all levels of the Ameritech hierarchy, we were not contacted by anyone from Ameritech until after the problem was corrected at approximately 8:50 p.m. (CDT). Even then, Ameritech refused to provide any information regarding the nature of the problem, other than to say it was a "software related network outage." It was not until the following day that Ameritech Information Industry Services President Karen S. Vessely confirmed in the attached letter to Rich Kingston, President of NEXTLINK's Midwest Region, that the outage was due to a problem with Ameritech's signaling systems. We have been unable to obtain a more detailed "root cause" analysis of the problem or the steps that Ameritech is taking to prevent the outage from being repeated.

1730 Rhode Island Avenue, N.W.

Suite 1000

Washington, D.C. 20036

202.721.0999

fax: 202.721.0995

No. of Copies rec'd 043
 List A B C D E

Second, incoming callers to our affected customers were greeted by an Ameritech-generated recording stating that the number had been "disconnected." This caused great concern among our customers, many of whom run small businesses, that callers concluded that they were no longer in business or had been disconnected for cause. It is Ameritech's practice to generate this "disconnected" announcement any time there is an LNP related network problem. We have repeatedly asked Ameritech to change this announcement for several months without success.

Third, when our customers called Ameritech regarding the outage, Ameritech's customer care personnel did not tell our customers that the outage was due to a problem with Ameritech's network. Indeed, we have evidence that in some cases they were told that the outage was not an Ameritech problem, it was a problem with the underlying carrier. We have attached an affidavit from a NEXTLINK customer supporting this allegation.

Finally, the day after the outage a number of our affected customers were the recipients of "win-back" materials from Ameritech touting the reliability of Ameritech's network. These materials are also attached

We are bringing this incident to your attention because you are exploring conditions that might be necessary to ameliorate the harm to competition that would result from the proposed merger of SBC and Ameritech. Although not all new entrants agree on the list of merger conditions necessary to safeguard competition, there is general consensus that the applicants must agree to commercially reasonable performance measures, benchmarks and remedies as a condition of approval in order to ensure that the applicants have incentives outside of the regulatory process to provide to their competitors nondiscriminatory access to interconnection and unbundled network elements. Although performance measures, benchmarks and remedies may not have prevented last week's outage, they would provide some recourse for CLECs and their customers when SBC/Ameritech compounds the damage from the outage through "strategic incompetence." We cite this incident as further evidence that meaningful performance standards, benchmarks and remedies must be an absolute precondition to any consideration of merger approval.

Respectfully submitted,



R. Gerard Salemmme
Senior Vice President

Cc: Secretary's Office
Mr. Glenn Reynolds
Ms. Anna Gomez
Mr. Frank Lamancusa
Mr. Pat Forrester
Lynn Shapiro Starr (Ameritech Corp.)
James D. Ellis (SBC Communications, Inc.)
ITS

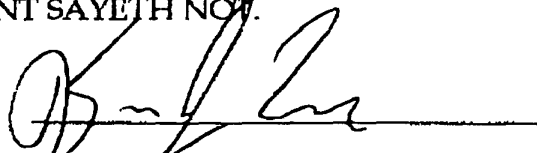
AFFIDAVIT

State of Illinois)
)
County of Cook)

BEFORE ME, the undersigned authority, on this 2nd day of June, 1999, Kevin Lampe personally appeared, who being by me first duly sworn, on his oath, deposes and says:

1. My name is Kevin Lampe and I am Executive Vice President of Kurth Lampe, a public relations firm, 444 N. Wabash Ave, Chicago, Illinois ("KurthLampe"). As a matter of business depends on reliable telecommunications services.
2. Kurth Lampe is a customer of NEXTLINK Illinois, Inc. ("NEXTLINK") for its telephone services.
3. On Wednesday, May 26, 1999, from approximately 2:15 p.m. CDT until approximately 9:00 p.m. CDT, Kurth Lampe was unable to receive any phone calls. During this time period, Kurth Lampe scheduled a news media conference. When members of the news media called Kurth Lampe's offices they received recorded messages informing them the phones were disconnected.
4. On the afternoon of Wednesday, May 26, 1999, I contacted NEXTLINK customer service to notify them of the service issue. NEXTLINK informed me that the problem was with Ameritech's network.
5. Following my call to NEXTLINK, I called the Ameritech repair center and described the service problem to Marie Taylor, supervisor repair services. She stated that the problem was with NEXTLINK's network and not with Ameritech's. She further stated that when it came to the service problem, "We don't care."

FURTHER AFFIANT SAYETH NOW.


(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME on this 3 day of June 1999.


Notary Public In and For the State of Illinois

Notary Seal:

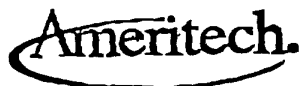


My Commission expires: 03-17-02

MAY. -27' 99 (THU) 13:50 VESSELY

TEL: 1 312 527 3780

P. 001

The logo for Ameritech, featuring the word "Ameritech" in a stylized, bold, sans-serif font. The letters are slightly italicized and have a thick, dark outline. The logo is set against a plain white background.

Information Industry Services
Floor 3
350 North Orleans
Chicago, IL 60654
Office 312/335-6626
Fax 312/527-3780

Karen S. Vessely
President

May 27, 1999

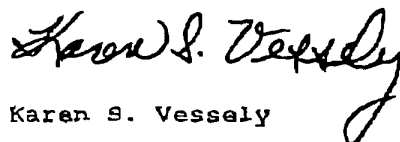
Rich Kingston
President
Nextlink Illinois
810 Jorie Blvd.
Oakbrook, Ill 60523

Rich,

Please be advised that on Wednesday, May 26, certain facility-based customers of Ameritech experienced an interruption in local portability capability. This interruption affected the ability of certain end-user customers with ported numbers to receive telephone calls. The affected end-users are located in MSA 1 in Chicago, the 414, 608, 715 & 920 NPAs of Wisconsin, and parts of southern Illinois. Ameritech first became aware of the problem at approximately 2:11 p.m. (CST) and it was corrected later that day at approximately 8:50 p.m. (CST).

Although we continue to analyze the problem, it appears to have been limited to an Ameritech Signaling Control Point and apparently was not associated with any Ameritech hardware. We expect that we will learn more about the problem as we complete lab testing.

I sincerely regret any inconvenience this may have caused you and your customers, and can assure you that we are doing everything we can to prevent this problem from occurring again.

A handwritten signature in dark ink, appearing to read "Karen S. Vessely". The signature is written in a cursive, flowing style with a large, prominent "K" and "V".

Karen S. Vessely

ATTN: Rich Kingston Fax 371-3250
630-

JOHN BYRNE CO

Along with a pricing analysis of your bill I wanted to show you a few key changes that have occurred within Ameritech so that you may have a better appreciation of what we have to offer.

Ameritech service value:

- 1) Our front line servicing has reevaluated it's operational layout. Using specialized individuals to provide faster service by placing people in functional groups... ie. Billing, special service ordering.
- 2) The reliability of the network is so sound, our resellers sell on the premise that their customers will "continue to receive this great, reliable service" JOHN BYRNE CO" will continue to enjoy the certainty of quality phone service.
- 3) Ameritech employs sales and service resources that can assist you with *any* strategic business need. Unlike some of our competitors whose business plan is based primarily on simply "acquiring" your account, we have resources available to consult and help JOHN BYRNE CO deploy technologies that help "grow" your business.
- 4) Timely billing so that you can control your telecomm expenses.
- 5) JOHN BYRNE CO can avoid unnecessary delays by having your requirements handled directly by Ameritech. Messages can become distorted when passed through multiple channels.

05/27/99 15:16 FAX 630 613 2253 NEXTLINK ILLINOIS 071 700 2323 630 613 2250;# 2/ 3 P.3

JOHN BYRNE CO

Ameritech Discount Values with VES Plan:

PACKAGE: Value Link Extra Select:

Lines, Usage, Calling Cards, 800 #'s, all contribute toward minimum annual revenue and are eligible for a discount on a monthly basis (12%)

3 year bonus' are paid out on the 13th, 25th, and 37th month. (\$500.00)

MISCELLANEOUS CREDITS:

Switch back fee to come back to Ameritech = \$34.85 = WAIVED

Rich Kingston